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13 | *Attorneys for Plaintiff CMP Consulting Services, Inc.*

14 [Additional counsel listed on signature block]

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

STIPULATION RE EXTENSION OF TIME FOR DEFENDANT PHILIPS LITE-ON DIGITAL SYSTEMS TO  
RESPOND TO COMPLAINT; [PROPOSED] ORDER EXTENDING TIME TO RESPOND TO COMPLAINT,  
Case No. C 09-05114 VRW

1 WHEREAS the undersigned plaintiff has filed the above-captioned case;

2 WHEREAS plaintiff alleges antitrust violations by manufacturers, distributors, and  
3 sellers of Optical Disk Drives and products containing Optical Disk Drives (collectively  
4 "ODD products");

5 WHEREAS at least four complaints have been filed to date in federal district courts  
6 throughout the United States by plaintiffs purporting to bring class actions on behalf of  
7 direct purchasers alleging antitrust violations by manufacturers, distributors, and sellers of  
8 ODD products (collectively "the ODD Cases");

9 WHEREAS plaintiff anticipates the possibility of Consolidated Amended Complaints  
10 in the ODD Cases;

11 WHEREAS plaintiff and Philips Lite-On Digital Solutions, U.S.A., Inc. ("PLDS  
12 U.S.A.") have agreed that an orderly schedule for any response to the pleadings in the ODD  
13 Cases would be more efficient for the parties and for the Court;

14 WHEREAS plaintiff agrees that the deadline for PLDS U.S.A. to answer, move, or  
15 otherwise respond to its Complaint shall be extended until the earliest of the following  
16 dates: (1) forty-five days after the filing of a Consolidated Amended Complaint in the ODD  
17 Cases; or (2) forty-five days after plaintiff provides written notice to PLDS U.S.A. that  
18 plaintiff does not intend to file a Consolidated Amended Complaint; or (3) any earlier  
19 response date to which PLDS U.S.A. agrees or by which it is ordered to respond in any  
20 ODD case;

21 WHEREAS this Stipulation does not constitute a waiver by PLDS U.S.A. of any  
22 defense, including but not limited to the defenses of lack of personal jurisdiction, subject  
23 matter jurisdiction, improper venue, sufficiency of process or service of process;

24 PURSUANT TO LOCAL RULE 6-1(a), PLAINTIFF AND DEFENDANT

25 PLDS U.S.A., BY AND THROUGH THEIR RESPECTIVE

26 COUNSEL OF RECORD, HEREBY STIPULATE AS FOLLOWS:

1. The deadline for PLDS U.S.A. to answer, move, or otherwise respond to plaintiff's Complaint shall be extended until the earliest of the following dates: (1) forty-five days after the filing of a Consolidated Amended Complaint in the ODD Cases; or (2) forty-five days after plaintiff provides written notice to PLDS U.S.A. that plaintiff does not intend to file a Consolidated Amended Complaint; or (3) any earlier response date to which PLDS U.S.A. agrees or by which it is ordered to respond in any ODD case.

2. This Stipulation does not constitute a waiver by PLDS U.S.A., or any other named defendant joining the Stipulation of any defense, including but not limited to the defenses of lack of personal jurisdiction, subject matter jurisdiction, improper venue, sufficiency of process or service of process.

DATED: November 24, 2009

Respectfully submitted,

By: /s/  
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Linda M. Fong (SBN 124232)  
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9  
10 *Attorneys for Plaintiff CMP Consulting Services,  
11 Inc.*

12 DATED: November 24, 2009  
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15 */s/*  
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23 *Attorneys for Defendant Philips Lite-On Digital  
24 Systems, U.S.A.*

25 **ATTESTATION**

26 I, Linda M. Fong, the ECF User whose identification and password are being used to  
27 electronically file this document hereby attest, in compliance with General Order 45.X.B, that  
28 David Lisi has concurred in its filing and that Mr. Lisi's signature, indicated by a conformed  
signature ("s") within this e-filed document, will be kept on file.

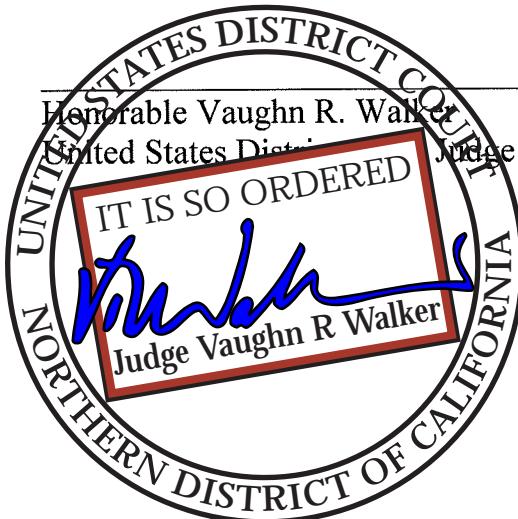
DATED: November 24, 2009

*/s/*  
Linda M. Fong

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2                   **~~PROPOSED ORDER~~**  
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5 PURSUANT TO STIPULATION, IT IS SO ORDERED.  
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Dated: 12/7/2009



## PROOF OF SERVICE

I, Adrianna D. Gutierrez, declare that I am over the age of eighteen (18) and not a party to the within action. I am employed in the law firm of Kaplan Fox & Kilsheimer LLP, 350 Sansome Street, Suite 400, San Francisco, California 94104.

On November 24, 2009, I used the Northern District of California's Electronic Case Filing System, with the ECF registered to Linda M. Fong to file following document(s):

**STIPULATION RE EXTENSION OF TIME FOR DEFENDANT  
PHILIPS LITE-ON DIGITAL SYSTEMS TO RESPOND TO  
COMPLAINT; [PROPOSED] ORDER EXTENDING TIME TO  
RESPOND TO  
COMPLAINT**

The ECF system is designed to send an e-mail message to all parties in the case, which constitutes service.

Executed November 24, 2009, at San Francisco, California.



Adrianna D. Gutierrez